

LETTERS FROM TWO STATES.

TOLLAND COUNTY.

ELLINGTON

Ladies' Benevolent Society Has Supper—Kitchen Shower—Will Become Trained Nurse.

The Ladies' Benevolent society held a supper and social in the lecture room last Friday evening.

The East Side circle enjoyed a special at the home of Mr. and Mrs. Arthur S. Davis on Friday evening. A July time was the report.

Mrs. Mahlon Hayward has returned from spending a week in Boston with her husband.

Mr. Nangle and Miss Corna Kangle, Mrs. John Miller, Mrs. Arthur Pease, and the Misses H. H. and E. H. Pease, "The Mesiah" which was given in Rockville last Sunday evening.

The schools will reopen on Monday. Mr. Burke has moved his family to the Kapperschmidt farm, which he recently purchased.

Shower for Miss Marks.

Mrs. D. E. Jones gave a kitchen shower in honor of Miss Grace Marica, whose engagement was announced last summer. Miss Marica is a member of Mrs. Jones' class in Sunday school and the whole class was invited.

Farwell Party.

Miss Eunice had a few friends last Thursday afternoon. It was given as sort of a goodbye party to Miss Eunice, who took part in next week to study for a trained nurse.

The Next Town Clerk.

Much interest is manifested in the town over the election as to who will be town clerk. The voting was not considered legal, as the election day was only advertised for four days in local paper and the law required five.

Paranals.

Arthur D. H. Clark for P. M. Charter, as Fred Adams is on the sick list again.

Carl Nicholson and Helen Wells were married last Saturday in Hartford.

The farmers are taking advantage of the ice crop. It is about ten inches thick.

Old Powell of Bridgeport spent New Year's at Otto Powell's.

Isaac Nicholson has put up a waiting station at Morris Corner which will be greatly appreciated.

BOLTON

Recognition Meeting of County Ministers—New Teacher—84th Birthday.

A recognition meeting of ministers of Tolland county was held at the Congregational church Sunday, Jan. 3rd.

Rev. T. E. Davies of Hartford occupied the pulpit Sunday in the absence of the pastor, Rev. James A. Bertha, who returned to Hartford after the recognition service Saturday on account of the critical condition of his mother.

Miss Ella G. Proctor, who taught the school in the Birch Mountain district, resigned to accept a position in Granby, Mass., has been succeeded by Charles Cohen of Hartford.

Mrs. Francis W. Smith left Thursday for Springfield, Mass. From there she goes to Indianapolis to visit her mother, Mrs. L. C. Smith.

Mrs. John W. Massey was assisted by neighbors and relatives in passing her 84th birthday pleasantly Dec. 30th. Otto Weirauch, who has been living with his sister, Mrs. Charles A. Lee, since August last, has moved to his home in New York last week.

STAFFORDVILLE

James Tobin of Meriden recently visited local relatives.

Mrs. William Chandler and daughter, Mildred, who returned from Mrs. Barlow and Mrs. William Taylor in South Coventry, recently.

M. H. Horgan and family have moved into the west tenement of J. H. McCarthy's double house, on the back road.

Mr. and Mrs. E. M. Chamberlin, who have been local residents for several years, have returned to Staffordville with their household goods last Monday, and have moved into the east tenement of J. H. McCarthy's double house.

EAST WILLINGTON

Active Woodchopper at 85.

L. Ingalls had an exciting time taking his automobile Monday from Brooklyn to Staffordville to be stored, painted and repaired.

Albert Watrous remains feeble. Mrs. Baldwin's daughter, Mrs. De Young, has returned from her trip from Syracuse, N. Y., where she has been visiting the family.

SOUTH COVENTRY

Miss Nellie Albert left Tuesday for New York city where she will study local culture.

The meeting of the Congregational church will be held next Monday evening.

The poles have been set in place about the village for electric lighting trials residences.

J. A. Dady's mill has been closed for an indefinite period.

WASHINGTON COUNTY, R. I.

ROCKVILLE

Officers and Committee Elected by C. E. Society—Will With Measles.

At the regular meeting of the Y. P. C. E. Saturday afternoon the following officers and committees were elected for the coming year: President, Carlton Irish; vice-president, Miss Lottie French; recording secretary, Mrs. Estella Randall; corresponding secretary, Mrs. L. V. Irish; treasurer, George French.

Prayer meeting committee, Mrs. L. V. Irish, Mrs. Estella Randall, Mrs. E. Palmer, lookout committee, Harold R. Randall, Miss Lottie J. Burdick, Mrs. E. C. Burton; music committee, Mrs. E. Palmer; flower committee, Miss Ada Woodman; Miss Florence Barnes, Miss Elva Woodman; social and literary, D. A. Randall, Harold Randall.

Persons.

Miss Rose Slater of Providence has been a recent guest at J. E. S. Cranford's.

Miss Lucetta Randall has returned

MESSAGE OF THE PRESIDENT

On Interstate Commerce and Trusts—More Power Asked—Would Extend Scope of Commission's Work—For Federal Incorporation—Radical Changes in Two Important Laws Urged.

Washington, Jan. 7.—President Taft sent to congress the following special message on the proposed amendments to the interstate commerce and anti-trust laws:

To the Senate and House of Representatives:

I beg to submit to you certain recommendations as to the amendments to the interstate commerce law and certain considerations arising out of the operations of the anti-trust law suggesting the wisdom of federal incorporation of industrial companies.

In the annual report of the interstate commerce commission for the year 1908 attention is called to the fact that between July 1, 1905, and the close of that year sixteen suits had been begun to set aside orders of the commission (besides one commenced before that date) and that few orders of such consequence had been permitted to go without protest.

In twelve of the suits referred to, it was stated, preliminary injunctions were prayed for being granted in six and refused in six.

Of course every carrier affected by an order of the commission has a constitutional right to appeal to a federal court to protect it from the enforcement of an order which it may regard as prima facie confiscatory or unjustly discriminatory in its effect, and as this application may be made to a court in any district of the United States not only does delay result in the enforcement of the order, but great uncertainty is caused by contradictory decisions.

It would not be proper to attempt to deprive any corporation of the right to the review by a court of any order or decree which, if undisturbed, would rob it of a reasonable return upon its investment or would subject it to burdens which would unjustly discriminate against it and in favor of other carriers similarly situated.

What is, however, of supreme importance is that the decision of such questions shall be as speedy as the nature of the circumstances will admit and that a uniformity of decision be secured.

For this purpose I recommend the establishment of a court of the United States composed of five judges designated for such purpose from among the circuit judges of the United States, to be known as the "United States court of commerce," which court shall be clothed with exclusive original jurisdiction over the following classes of cases:

First.—All cases for the enforcement, otherwise than by adjudication and collection of a forfeiture or penalty or by infliction of criminal punishment, of any order of the interstate commerce commission other than for the payment of money.

Second.—All cases brought to enjoin, set aside, annul or suspend any order or requirement of the interstate commerce commission.

Third.—All such cases as under section 3 of the act of Feb. 19, 1903, known as the "Elkins act," are authorized to be brought in a circuit court of the United States.

Fourth.—All such mandamus proceedings as under the provisions of section 20 or section 23 of the interstate commerce law are authorized to be maintained in a circuit court of the United States.

In order to provide a sufficient number of judges to enable this court to be constituted, it will be necessary to authorize the appointment of five additional circuit judges. Annual compensation of \$10,000 may be provided.

Review by the Supreme Court.

The regular sessions of such court should be held at the capital, but it should be empowered to hold sessions in different parts of the United States if found desirable, and its orders and judgments should be made final, subject only to review by the supreme court of the United States with the provision that the operation of the decree appealed from shall not be stayed unless the supreme court shall so order.

The commerce court should be empowered in its discretion to restrain or suspend the operation of an order of the interstate commerce commission under review pending the final hearing and determination of the proceeding, but such restraining order should be made except upon notice and after hearing unless in cases where irreparable damage would otherwise ensue to the petitioner. A judge of that court might be empowered to allow a stay of the commission's order for a period of not more than sixty days, but pending application to the court for its order or injunction, then only where his order shall contain a specific finding, based upon evidence submitted to the judge making the order and identified by reference thereto, that such irreparable damage would result to the petitioner, specifying the nature of the damage.

Under the existing law the interstate commerce commission itself initiates and defends litigation in the courts. The enforcement or in the defense of its orders and decrees. In my opinion, all litigation affecting the government should be under the direct control of the department of justice.

Agreement on Rates.

The subject of agreements between carriers with respect to rates has been often discussed in congress. Pooling arrangements and agreements were entered into by the general sentiment of the people, and under the Sherman anti-trust law any agreement between carriers operating in restraint of interstate or international trade or commerce would be unlawful. I see no reason why agreements between carriers subject to the general sentiment of the people and the rates, fares and charges for transportation of passengers and freight which they may agree to establish should not be permitted, provided copies of such agreements be promptly filed with the commission, but subject to all the provisions of the interstate commerce act and subject to the right of any parties to such agreement to be coupled with a proviso that it shall not operate to prevent any corporation which at the date of the passage of such act shall own not less than one-half of the entire issued and outstanding capital stock of any other railroad company from acquiring all or the remainder of such stock not to prohibit any railroad company which at the date of the enactment of the law is operating a railroad of any other corporation under lease, executed for a term of not less than twenty-five years, from acquiring the reversionary ownership of the leased railroad, but that such provisions shall not operate to authorize or validate the acquisition, through stock ownership or otherwise, of a competing line or interest therein in violation of the anti-trust or any other law.

"Watering" of Railroad Stock.

I recommend the enactment of a law providing that no railroad corporation subject to the interstate commerce act shall have for any purpose connected with or relating to any part of its business governed by said act issue any capital stock without previous or simultaneous payment to it of not less than the par value of such stock or any bonds or other obligations (except notes) of such corporation at or before the date of their issue without the previous or simultaneous payment to such corporation of not less than the par value of such bonds or other obligations, or, if issued at less than their par value, the reasonable market value of such bonds or obligations as ascertained by the interstate commerce commission, and that no property, services or other thing than money shall be taken in payment of such carrier corporation of such stock, bond or other obligation except at the fair value of such property, services or other thing as ascertained by the commission, and that such act shall also contain provisions to prevent the abuse by the corporation of the power of note-maturing at a period not exceeding twelve months from date in such manner as to commit the commission to the approval of a larger amount of stock or bonds in order to retire such notes than should legitimately have been required.

Such act should also provide for the approval by the interstate commerce commission of the amount of stock and bonds to be issued by any railroad company subject to this act upon any reorganization proceeding in order to prevent the issue of stock and bonds to an amount in excess of the fair value of the property which is the subject of such reorganization.

In addition to the foregoing amendments of the interstate commerce law, I recommend that the interstate commerce commission be empowered, whenever any proposed increase of rates is filed, at once, either on complaint or of its own motion, to enter upon an investigation into the reasonableness of such change and that it be further empowered in its discretion to postpone the effective date of such proposed increase for a period not exceeding sixty days beyond the date when such rate would take effect. If within this time it shall determine that such increase is unreasonable it may then by its order forbid the increase at all. If it shall not be made, if, on the other hand, at the expiration of this time the commission shall not have completed its investigation, then the rate shall take effect precisely as it would under the existing law, and the commission may continue its investigation.

Shipper to Have Choice of Routes.

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The result of the sugar trust case was not happy in its effect. It gave other companies combinations property, similar method of making profit by establishing an absolute control and monopoly in a particular line of manufacture a sense of immunity against prosecutions in the federal jurisdiction. Under every of the conditions barred in respect to a business which is necessarily commensurate with the boundaries of the country no state prosecution is able to supply the needed machinery for adequate restraint or punishment.

Following the sugar trust decision, however, there have come along in the slow but certain course of judicial disposition cases involving a construction of the anti-trust statute and its application until now they seem to embrace every phase of the subject which can be practically presented to the American public and to the government for action. They show that the anti-trust act has a wide scope and applies to many combinations in actual operation, rendering them unlawful and subject to indictment and restraint.

All Restraints Forbidden.

The supreme court in several of its decisions has declined to read into the statute the word "unreasonable" before "restraint of trade," on the ground that the statute applies to all restraints and does not intend to leave to the court the discretion of determining what is a reasonable restraint of trade. The expression "restraint of trade" comes from the common law, and at common law there were certain covenants incidental to the carrying out of a main or principal contract which were excluded by the general restraint of trade and were held to be enforceable because "reasonably" adapted to the performance of the main or principal contract. And under the general language used by the supreme court in several cases it would seem that the restraint of trade by a state is to be within the scope of the restraint of trade and is to be enforceable because "reasonably" adapted to the performance of the main or principal contract. And under the general language used by the supreme court in several cases it would seem that the restraint of trade by a state is to be within the scope of the restraint of trade and is to be enforceable because "reasonably" adapted to the performance of the main or principal contract.

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source and the extent of their output compared with the total output as a means of compelling custom and freight from competing companies, then they discontinue to restrain trade and to establish a monopoly and violate the act.

Economy—Not Only Effect of Business.

I wish to make this distinction as emphatic as possible, because I conceive that nothing could happen more destructive to the prosperity of this country than the loss of that great economy in production which has been and will be effected in all manufacturing lines by the employment of large capital under one management. I do not mean to say that there is not a limit beyond which the economy of management by the enlargement of plant power, and where this happens and combination continues beyond this point the very fact shows intent to monopolize and not to economize.

The anti-trust statute was passed in 1890, and prosecutions were soon begun under it. In the case of the "sugar trust" case, known as the "sugar trust" case, because of the narrow scope of the pleading, the combination sought to be enjoined was held not to be included within the prohibition of the act, because the averments did not go beyond the mere restraint upon trade and commerce in the sale and delivery of sugar across state boundaries and in foreign trade.

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